

S T A T E O F N E W Y O R K

3872--C

2011-2012 Regular Sessions

I N S E N A T E

March 8, 2011

Introduced by Sens. MAZIARZ, DUANE, PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Energy and Telecommunications in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to requiring the development of a generation attribute tracking system by the New York state energy research and development authority

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. Section 1851 of the public authorities law is amended by
2 adding a new subdivision 18 to read as follows:
3 18. "GENERATION ATTRIBUTE CERTIFICATES" SHALL MEAN THE ENVIRONMENTAL,
4 VINTAGE AND OTHER ATTRIBUTES ASSOCIATED WITH THE GENERATION OF KILO-
5 WATT-HOURS AND/OR MEGAWATT-HOURS OF ELECTRICAL ENERGY. GENERATION ATTRI-
6 BUTE CERTIFICATES SHALL EXIST AS A COMMODITY SEPARATE AND APART FROM
7 KILOWATT-HOURS AND/OR MEGAWATT-HOURS.
8 S 2. Section 1854 of the public authorities law is amended by adding a
9 new subdivision 19 to read as follows:
10 19. TO, ON ITS OWN OR THROUGH A QUALIFIED ENTITY, DIRECTLY OR INDI-
11 RECTLY, AND IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC SERVICE:
12 (A) DEVELOP AND ADMINISTER A GENERATION ATTRIBUTE TRACKING SYSTEM THAT
13 RECORDS GENERATION ATTRIBUTE INFORMATION WITHIN THE STATE, AND PROCESSES
14 GENERATION ATTRIBUTE INFORMATION FROM ENERGY OUTSIDE THE STATE THAT IS
15 IMPORTED TO AND CONSUMED WITHIN THE STATE, AS A BASIS FOR CREATING
16 GENERATION ATTRIBUTE CERTIFICATES;

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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1 (B) ASSIGN INITIAL OWNERSHIP OF GENERATION ATTRIBUTE CERTIFICATES;
2 (C) PROVIDE FOR THE TRANSFER OR CONVEYANCE, OWNERSHIP AND RETIREMENT
3 OF GENERATION ATTRIBUTE CERTIFICATES;
4 (D) OBTAIN GENERATION, DELIVERY AND CONSUMPTION INFORMATION FROM INDE-
5 PENDENT SYSTEM OPERATORS, GENERATORS, PUBLIC UTILITY COMPANIES, AND
6 RETAIL LOAD-SERVING ENTITIES PRODUCING, DELIVERING OR SELLING ELECTRIC-
7 ITY IN THE STATE, INCLUDING, BUT NOT LIMITED TO, "ELECTRIC CORPORATIONS"
8 AS DEFINED UNDER SUBDIVISION THIRTEEN OF SECTION TWO OF THE PUBLIC
9 SERVICE LAW, "COOPERATIVES" AS DEFINED UNDER SUBDIVISION (A) OF SECTION
10 TWO OF THE RURAL ELECTRIC COOPERATIVE LAW, AND ANY PUBLICLY- OR MUNICI-
11 PALLY-OWNED UTILITIES, INCLUDING THE POWER AUTHORITY OF THE STATE OF NEW
12 YORK AND THE LONG ISLAND POWER AUTHORITY, DEEMED NECESSARY BY THE
13 AUTHORITY TO VERIFY OR SUPPLEMENT SUCH GENERATION ATTRIBUTE TRACKING
14 SYSTEM;
15 (E) FACILITATE PARTICIPATION IN, AND USE OF, SUCH GENERATION ATTRIBUTE
16 TRACKING SYSTEM BY BUYERS, SELLERS AND BROKERS WITH RESPECT TO THE
17 OWNERSHIP, TRANSFER OR CONVEYANCE, AND RETIREMENT OF GENERATION ATTRI-
18 BUTE CERTIFICATES; AND
19 (F) PERFORM SUCH ADDITIONAL ACTIVITIES AS MAY BE DEEMED NECESSARY BY
20 THE AUTHORITY TO ENSURE COOPERATION AND THE SMOOTH EXCHANGE OF INFORMA-
21 TION AMONG AND BETWEEN THE GENERATION ATTRIBUTE TRACKING SYSTEM AND
22 SIMILAR SYSTEMS WITHIN OR OUTSIDE THE STATE.
23 S 3. This act shall take effect immediately.